

REMARKS

Claims 1-18 are pending. Claims 1-18 are rejected. Claims 19-25 are newly added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

A. Claims 1-17 are rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Ubillos (U.S. Patent No. 5,999,173). Applicant respectfully traverses the rejection.

With respect to claims 1-17, Applicant respectfully submits Ubillos does not disclose every claimed feature as required under 35 U.S.C. § 102.

For example, Ubillos fails to disclose at least a feature of a multi-level position/range designating method for a multimedia stream comprising displaying an entire range of a multimedia stream and setting a range designated by a user from the displayed entire range of the multimedia stream as an absolute range of the multimedia stream and displaying the absolute range of the multimedia stream (as the entire range of the multimedia stream) if a range is designated by the user and combinations thereof as recited in claim 1.

In contrast, Ubillos discloses a method and apparatus for video editing with video clip representations displayed along a time line. A time line is displayed and a display is generated representing video program clips by digitizing and simultaneously displaying a frame from each of a plurality of the digitized clips on tracks along and in a direct time relationship to the time line. The width of the displayed frames representing the time duration of the clip is represented

by that frame, together with transition icons. The transition icons represent the transitions between the plurality of the digitized clips.

The Office Action cites in column 7, lines 16-19 and column 10, lines 48-62 of Ubillos replicated below.

Because a complete edited program may have a duration longer than can be represented by clips displayed on a single monitor screen, the system permits the user to display any selected portion of program in the construction window. The inventive system is preferably programmed to enable a user to select "In" and "Out" points for each clip of a video program, in the manner to be described next with reference to FIGS. 6 and 7. To align a clip along time ruler 60, the clip is displayed in a track of a construction window, and the left or right edge of the clip is dragged along the track to a desired "In" or "Out" point along the time ruler 60. The precision with which each edge can be positioned along time ruler 60 depends on the currently selected time scale for the construction window (the time scale is selected, in the manner explained above, by manipulating icon 58). To align clips with maximum precision, the time unit should be selected to have its lowest value (i.e., icon 58 configured in the "single frame" setting, in which each frame of the clip is displayed in the construction window).

Applicant respectfully submits that there is no teaching or suggestion in Ubillos when moving selected items (e.g. clips) from a project window (e.g. Figs. 4-5) to a construction window (e.g., Figs 2-3) that any expansion relation is maintained. Applicants respectfully submit Ubillos discloses copying or compressing the "clips" when moved to a construction window (see column 2, lines 46-54 of Ubillos). Further, Applicant respectfully submits that Ubillos does not disclose displaying multiple representations of a clip within a construction window or a project window.

Thus, there is no teaching or suggestion in Ubillos of at least setting a range designated by a user from the displayed entire range of the multimedia stream as an absolute range of the multimedia stream and displaying the absolute range if a range is designated by the user and combinations thereof as recited in claim 1. In other words, the entire multimedia stream and the range of the multimedia stream that a user wants to examine can be represented by the same displayed length.

Also, there is no teaching or suggestion in Ubillos of directly generating a continuous subset of data from the multimedia stream as claimed by the Applicant. In Ubillos, the user must select and construct a series of video clips and assemble them on a storyboard.

Further, as stated in MPEP § 2131, “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F. 2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As noted above, Ubillos does not disclose all of the features claimed by the Applicant. Therefore, Ubillos cannot anticipate Applicant’s claimed combinations as alleged by the Examiner.

For at least the reasons set forth above, it is respectfully submitted that claim 1 defines patentable subject matter. Applicant respectfully submits that claims 9 and 14 also define patentable subject matter for at least reasons similar to claim 1. Claims 2-8, 10-13 and 15-17

are dependent claims that depend upon independent claims 1, 9 and 14, respectively, and should be allowable for at least that reason as well as their additionally recited features. Withdrawal of the rejection of claims 1-17 under § 102 is respectfully requested.

As described above, claim 14 defines patentable subject matter over Ubillos. Applicant respectfully submits that Foreman does not teach or suggest at least a feature of displaying subsequent levels of the multiple level display including varying ranges of the multimedia stream in a second window recited in independent claim and lacking in Ubillos. Thus, Applicant respectfully submits that Ubillos and Foreman, individually or in combination, do not teach or suggest at least a feature of displaying subsequent levels of the multiple level display including varying ranges of the multimedia stream in a second window and combinations thereof as recited in independent claim 14.

B. Claim 18 is rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Ubillos in view of Foreman et al. (U.S. Patent No. 6,469,711). Applicant respectfully traverses the rejection.

The Applicant has provided and emphasized the distinctions between the Applicant's invention and the Ubillos patent. In the Office Action, the Examiner acknowledges the deficiency of the primary reference and provides Foreman et al. as a secondary reference in an attempt to make up for the deficiencies of the primary reference.

As stated in MPEP § 2143.01, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F. 2d 981, 180 USPQ 580 (CCPA 1974). “All words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F. 2d 1382, 165 USPQ 494, 496 (CCPA 1970). Ubillos does not at least disclose displaying an entire range of a multimedia stream and setting a range designated by a user from the displayed entire range of the multimedia stream as an absolute range of the multimedia stream and displaying the absolute range of the multimedia stream as the entire range of the multimedia stream as the entire range of the multimedia stream if a range is designated by the user as recited in the Applicant’s claims, as discussed above.

Therefore, Ubillos and Foreman et al. cannot render the Applicant’s claimed combinations obvious as alleged by the Office Action. For at least these reasons, it is respectfully submitted that the rejection be withdrawn and that claim 18 be allowed.

C. Claims 19-25 are newly added and recite features similar to the originally pending claims and should be allowable for at least the same reasons presented for the originally pending claims.

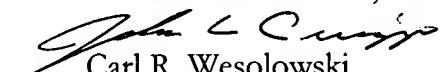
CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **JOHN L. CICCOZZI**, at the telephone number listed below.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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